

AGENDA

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, July 23, 2024

Time: 6:00 p.m.

Location: Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

Join WebEx Meeting: <https://eauclairecounty.webex.com> Meeting ID: 2535 850 7603

Password: XSrY3jU7gt3

*Meeting audio can be listened to using this Audio conference dial in information.

Audio conference: 1-415-655-0001 Access Code: 25358507603##

For those wishing to make public comment, you must e-mail Rod Eslinger at Rod.Eslinger@eauclairecounty.gov at least 60 minutes prior to the start of the meeting.

**Please mute personal devices upon entry*

A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.

1. Call to Order and confirmation of meeting notice
2. Roll Call
3. Public Comment
4. Review/Approval of July 9, 2024 Meeting Minutes / Discussion – Action **Pages 2-4**
5. Public Hearings
 - a. **Proposed Ordinance: File No. 24-25/045** to rezone 1.027 acres +/- from RH – Rural Homes District to the C-3 Commercial Highway District. Owner: Ronald Horlacher and Randall Horlacher. Legal: Part of Lot 4 CSM 187 (Vol 1 P 243 #494619), Town of Union, Eau Claire County, Wisconsin. **RZN-0018-24 Pages 5-17**
6. GIS Program Update
7. Department Fee's / Discussion – Action **Pages 18-21**
8. Committee Review – Determination of uses not listed in the County Code (Chapter 18.33.030). The determination is to allow the unfinished side of a fence to face neighboring properties. Located in part of SE ¼ of the SW ¼ of section 22, Township 27 North, Range 8 West, Town of Washington, Eau Claire County, WI. (Gaede) / Discussion – Action **Pages 22-35**
9. Preliminary 2025 Budget Review / Discussion **Pages 36-39**
10. Review of June bills / Discussion **Page 40**
11. Proposed Future Agenda Items
 - a. Next scheduled meeting August 13, 2024
12. Director's Update
13. Announcements
14. Adjourn

MINUTES

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, July 9, 2024

Time: 6:00 p.m.

Location: *Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703*

*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

Join WebEx Meeting: <https://eauclairecounty.webex.com> Meeting ID: 2531 956 5574

Password: Rj9PtH9hD9b

*Meeting audio can be listened to using this Audio conference dial in information.

Audio conference: 1-415-655-0001 Access Code: 25319565574###

For those wishing to make public comment, you must e-mail Rod Eslinger at Rod.Eslinger@eauclairecounty.gov at least 60 minutes prior to the start of the meeting.

**Please mute personal devices upon entry*

A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.

Members Present: Dane Zook, Michele Skinner, Caleb Aichele

Members Absent: James Dunning, Robin Leary

Ex officio Present:

Staff Present: Rod Eslinger, Matt Michels, Ben Bublitz

1. Call to Order and confirmation of meeting notice

Chair Zook called the meeting to order at 6:00 pm and confirmed with Director Eslinger that the meeting was properly noticed.

2. Roll Call Director Eslinger called the roll. Members present are noted above.

3. Public Comment - None

4. Review/Approval of June 25, 2024 Meeting Minutes / Discussion – Action

The committee reviewed the June 25, 2024 meeting minutes.

ACTION: Motion by Dane Zook to approve the June 25, 2024, committee meeting minutes as presented. Motion carried on a voice vote: 3-0-0.

5. Public Hearings

a. **Proposed Ordinance: File No. 24-25/042** to rezone 4.33 acres +/- from the A-3 Agricultural District to the A-2 Agriculture-Residential District. Owners: Chris & Ingrid Silewski. Applicant: Kris Sivertson. Legal: Part of Lot 2, CSM #3265, Vol 18, P 196, Document # 1143779, located in the SW ¼ of the NE ¼, Section 32, Township 27 North, Range 8 West, Town of Washington, Eau Claire County, WI. **RZN-0017-24**

Matt Michels, Senior Planner for Eau Claire County, introduced the petition to the committee. He indicated that the applicant is requesting to rezone 4.33 acres of land from the A-3, Agricultural District to the A-2 Agriculture-Residential District to sell the land to a family member. The land uses in this area are mixed with residences, woodlands and agriculture. Mr. Michels reviewed the zoning and future land use maps with the committee along with the soils map for the property. He noted that the remaining parcel will stay zoned A3.

Mr. Michels indicated that the petition was reviewed against the town and county comprehensive plans for consistency purposes and the uses allowed in the A2 District. Matt reviewed staff findings with the committee and gave his recommendation to approve the rezoning. Here are the staff findings:

1. The proposed rezoning is substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
2. No additional lots would be created, and no land use changes are proposed with this rezoning.
3. Other similarly zoned lots are found in the vicinity of the subject property.

On June 20, 2024, the Town of Washington Town Board voted 5-0 to recommend approval of the rezone petition.

Kris Sivertson, agent for the applicant clarified the reason for the rezoning petition and indicated that this was a clean up from their 2023 rezoning petition. He indicated that acreage will be added to the adjacent CSM lot to create a rectangular 12.5-acre lot. Mr. Sivertson indicated that his daughter and son-in-law are selling their property, and he didn't want anyone to build behind them.

ACTION: Motion by Caleb Aichele to approve the Proposed Ordinance: File No. 24-25/042. Motion carried on a roll call vote: 3-0-0.

b. A conditional use permit request for use of two shipping containers for personal storage. Owner: Randy Fankhauser. Legal: Lot 1 of CSM #1646, Vol 9, P35, being a part of the NE ¼ of the NW ¼ of Section 27, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, WI. **CUP-0005-24**

Ben Bublitz, Eau Claire County Land Use Manager described the purpose of the request to locate two shipping containers on the applicant's lot. He reviewed the site's location in the town, aerial map, and a site plan showing the location of the containers. Mr. Bublitz discussed the setbacks that apply to the containers and that the property is wooded so the containers will be well screened. The Town of Brunswick voted in favor of the request on June 11, 2024. Ben concluded by recommending approval of the request as submitted.

Randy Fankhauser, property owner spoke in favor of the request. He noted that he painted the storage containers red to match the exterior of his home and other outbuildings. Mr. Fankhauser indicated that he did talk to his neighbors before he applied, and he noted that they supported his request.

No one else spoke in favor or opposition to the request.

ACTION: Motion by Michele Skinner to approve the conditional use permit CUP-0005-24 request for use of two shipping containers for personal storage subject to staff's recommended conditions. Motion carried on a voice vote: 3-0-0.

6. Committee Review– To reduce the required 100-feet of road frontage in an unzoned township from 100-feet to 46-feet. The proposed lot is part of NW ¼ of the NE ¼ of section 1, Township 27 North, Range 6 West, Town of Wilson, Eau Claire County, WI. (Chirhart) / Discussion – Action

Ben Bublitz provided an overview of the variance application to create a lot with 46-feet of road frontage. He indicated the main reason for the division at this time was for family estate planning purposes. Mr. Bublitz reviewed the ordinance standards with the committee and shared a copy of the survey map representing the new lot. Staff recommended approval of the request subject to adding an ingress/egress easement across the new 1.5-acre lot to access the remaining acreage. No one else spoke.

ACTION: Motion by Dane Zook to approve to reduce the 100-feet of road frontage in an unzoned township from 100-feet to 46-feet subject to an easement across the 1.5 acres lot to be created to access the reminding of the property. Motion carried on a voice vote: 3-0-0.

7. Proposed Future Agenda Items

- a. Next scheduled meeting July 23, 2024

8. Director's Update

Director Eslinger gave a brief update on the Finance and Budget Committee where the 25' CIPs requests were reviewed. This year department's CIPs will be reviewed and approved by the oversight committee at the joint Finance and Budget committee meetings. Chair Zook added that if members of the Finance and Budget Committee had questions about the department's CIPs, they were asked to speak to the department director ahead of the joint meetings.

Mr. Eslinger notified the committee that the department received an application for the vacant Environmental Engineer position and the staff is coordinating with HR to coordinate an interview with the candidate.

9. Announcements

There were no additional announcements.

10. Adjourn

ACTION: Meeting adjourned by unanimous consent at 6:49 PM.

Respectfully Submitted,

Rodney Eslinger
Clerk, Committee on Planning & Development



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0018-24 **COMPUTER NUMBER:** 022101407000

PUBLIC HEARING DATE: July 23, 2024

STAFF CONTACT: Matt Michels, Senior Planner

OWNERS/AGENT: Mike DeGrasse, Randall Horlacher, and Ronald Horlacher, 8299 Schumacher Rd, Fall Creek, WI 54742

REQUEST: Rezone 1.027 acres +/- from RH - Rural Homes to the C-3 Highway Business District to sell the property for potential future commercial uses consistent with the comprehensive plan and surrounding commercial & industrial uses.

LOCATION: Northwest corner of State Highway 312 and N Town Hall Road

LEGAL DESCRIPTION: Lot 4 of Certified Survey Map, Volume 1, Page 243, Map #187, Town of Union, Eau Claire County, Wisconsin; EXCEPT highway conveyed in Volume 844, Page 95, and EXCEPT Parcel 1 of Transportation Project Plat 7090-00-24-4.01 recorded as Document #1171823, recorded in Eau Claire County, Wisconsin.

RECOMMENDATION Approval of request based on findings outlined on Page 3 of this report.

BACKGROUND

SITE CHARACTERISTICS:

- The property to be rezoned is developed with a single-family residence and garage.
- The property is generally flat and does not contain any environmentally sensitive areas.

EXISTING ZONING DISTRICT:

RH Rural Homes District. The RH Rural Homes District is established to “*provide for suburban large-lot development with individual on-site water and sewage disposal facilities.*”

Permitted principal use include single-family detached residential dwellings.

REQUESTED ZONING DISTRICT:

C-3 Highway Business District. The purpose of the C-3 District is to “*provide an area for the development of those commercial activities that require large lots or attract concentrations of automobile traffic which make the uses incompatible with the predominantly retail uses in other commercial districts.*”

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	RH	Single-family residence and garage
North	C-3	Commercial (C&C Auto Detailing, Big Rig Towing & Transport)
East	C-2	Commercial office (Wisconsin Telecom)
South	C-3 (south of Hwy 312)	Commercial
West	C-3	Commercial (Interstate Automotive & Collision Center)

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the and the Town of Union Future Land Use Map includes the property in the Commercial/Industrial (CI) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

Eau Claire County:

- Commercial/Industrial (CI) Intent and Description: *The intent of this classification is to identify areas for a mix of commercial or industrial development that creates employment, enhances the tax base, provides needed goods and services to residents, and protects and conserves the natural environment and sensitive natural resources. The CI areas include land along major transportation corridors or near existing commercial or industrial development.*
- Applicable Policies:
 1. *The County or town may require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.*
 2. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within CI areas: C-1 Neighborhood Business District, C-2 General Business District, C-3 Highway Business District, I-1 Non-sewered Industrial District, I-2 Sewered Industrial District, and the proposed I-L Light Industrial District.*

Town of Union:

- Commercial/Industrial (CI) Intent and Description: *The primary intent of this classification is to identify areas suitable for planned commercial and industrial development. The most appropriate commercial and industrial uses will be those that serve community needs or those that provide employment and serve the larger region in the Highway 12/312 and I-94 corridor.*
- Applicable Policies:
 1. *Development of commercial and industrial uses in these areas should be limited to those uses that are compatible with existing or planned commercial and industrial development.*
 2. *The County or local community might require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.*

3. *The following Eau Claire County Zoning Districts will be considered for approval within RC areas: C-1 Neighborhood Business District, C-2 General Business District, and the C-3 Highway Business District, I-1 Non-sewered Industrial District, and I-2 Sewered Industrial District.*

Eau Claire County Farmland Preservation Plan

The property is not included in the Farmland Preservation Plan Map since it is not planned or zoned for agricultural uses.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

Town Board Action: The Union Town Board will consider the rezoning petition on Tuesday, July 11, 2024.

The rezoning petition has been evaluated for consistency with the purpose of the C-3 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area are primarily commercial and industrial.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the C-3 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposition to the proposed rezoning has been received, to date.

FINDINGS

Findings in Favor:

1. The proposed rezoning is substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
2. The property is surrounded by commercial and industrial uses, and residential use is generally incompatible with surrounding land uses and high volumes of commercial truck traffic.
3. No additional lots would be created with this rezoning.



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Building Inspection
839-2944
Emergency Management
839-4736
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Management
839-4743
Planning
839-5055
Recycling
839-2756

June 21, 2024

Notice of Application Received

The Eau Claire County Department of Planning and Development has received the following application for a rezoning scheduled for the Committee on Planning and Development on 7/23/2024:

Owner: Ronald Horlacher & Randall Horlacher

Applicant: Owner

File Number: 24-25/045

Legal Description: Part of Lot 4 CSM 187 (Vol 1 P 243 #494619), Town of Union, Eau Claire County, Wisconsin.

Site Address: 4606 N Town Hall Road, Eau Claire, WI 54703

Existing Zoning District: RH - Rural Homes

Proposed Zoning District: C-3 Commercial Highway

Acres to be Rezoned: 1.027 +/- acres

Date Received: 6/21/2024

To view the application materials, click on link below.

[Planning and Development | Eau Claire County \(eauclairecounty.gov\)](https://eauclairecounty.gov/planning-and-development)



Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 715-839-4741

Application Accepted:	06/21/2024
Accepted By:	Matt Michels
Receipt Number:	077851
Town Hearing Date:	07/09/2024
Scheduled Hearing Date:	07/23/2024
Application No:	RZN-0018-24
Application Status:	Applied

Rezoning Petition

RECEIVED

JUN 21 2024

COUNTY CLERK

Owner/Applicant Name(s):

Owner: RONALD HORLACHER

Applicant: Randall Horlacher, N 2775 State Rd 27, Cadott, WI 54727

Telephone: 715-563-2612

E-Mail:

Site Address(es):

4606 N TOWN HALL RD

Property Description:

Sec 04 Twn 27 Rge 10
 Town of Union

Zoning District(s):

RH - Rural Homes District

Lot Area(s) - Acres:

1.03

Overlay District(s):

PIN

1802222710044409002

Legal (partial)

LOT 4 CSM 187 (VOL 1 P 243 #494619), EX HWY CONVEYED IN 844/95 CONT .26 AC M/L

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the following Zoning District from:

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Office Use Only

Application Accepted:	6/21/24
Accepted By:	MM
Application Number:	RZN0018-24
Town Hearing Date:	7/9/24
Scheduled Hearing Date:	7/23/24

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: <u>RH</u>	Proposed Zoning District(s): <u>C-3</u>
Acres to be rezoned: <u>1.027</u>	

Property Owner Name: <u>Ronald Horlacher, Randall Horlacher</u> <u>Mike DeGrassel</u>	Phone# <u>715-563-2612 - 715-271-1956</u>
Mailing Address: <u>N2775 State Rd 27</u>	
Email Address:	

Agent Name: <u>same</u>	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address: <u>4606 North Town Hall Rd</u>	
Property Description: <u>SE 1/4 SE 1/4 Sec. 4, T 27 N, R 10 W, Town of Union</u>	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s): or PIN #(s):	<u>022101407000</u>

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Confirmed with the Town their submittal deadline and process.
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$630.00 application fee (non-refundable), (\$550.00 application processing fee and \$80.00 mapping surcharge fee). Send application to landuse@eauclairecounty.gov or to the address above.

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature: Randall Horlacher Date 6-21-2024

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

Selling the property Everything all around the property is C3

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

Empty lined area for providing details on zoning appropriateness.

Eau Claire County, WI

Summary

Parcel Number 1802222710044409002
 Alternate No 022101407000
 Property Address 4606 N TOWN HALL RD
 EAU CLAIRE, WI 54703
 Legal Description **LOT 4 CSM 187 (VOL 1 P 243 #494619), EX HWY CONVEYED IN 844/95 CONT .26 AC M/L, EX PCL 1 TPP #7090-00-24-4.01 DOC 1171823 CONT 0.019 AC M/L FOR RD R/W SEE T-1242**
 Sec-Twp-Rng 54-T27N-R10W
 Acres 1.027
 School District EAU CLAIRE AREA SCHOOL DISTRICT
 Tax District 022 - TOWN OF UNION

[View Map](#)

Owners

Mailing Address
[RONALD HORLACHER](#)
 8299 SCHUMACHER RD
 FALL CREEK, WI 54742

Owner
[RANDALL G HORLACHER](#)

Owner
[RONALD A HORLACHER](#)

Owner
[MICHAEL D DEGRASSE](#)

Valuation

Assessed Year	2023	2022	2021	2020
Land Value	\$23,700.00	\$15,200.00	\$15,200.00	\$15,200.00
Building Value	\$198,000.00	\$135,300.00	\$135,300.00	\$135,300.00
Total Value	\$221,700.00	\$150,500.00	\$150,500.00	\$150,500.00
Estimated Fair Market Value	\$224,200.00	\$208,600.00	\$194,800.00	\$184,200.00

Tax History

Tax Year	2023	2022	2021	2020
Gross Property Tax	\$2,299.16	\$2,266.80	\$2,319.44	\$2,291.22
Managed Forest Tax	\$0.00	\$0.00	\$0.00	\$0.00
First Dollar Credit	(\$56.89)	(\$53.78)	(\$52.64)	(\$52.85)
Lottery Credit	(\$211.76)	(\$176.51)	(\$186.69)	(\$129.51)
Net Property Tax	\$2,030.51	\$2,036.51	\$2,080.11	\$2,108.86
Other Fees	\$27.00	\$27.00	\$27.00	\$22.00
SA Fees	\$0.00	\$0.00	\$0.00	\$0.00
Total Tax	\$2,057.51	\$2,063.51	\$2,107.11	\$2,130.86

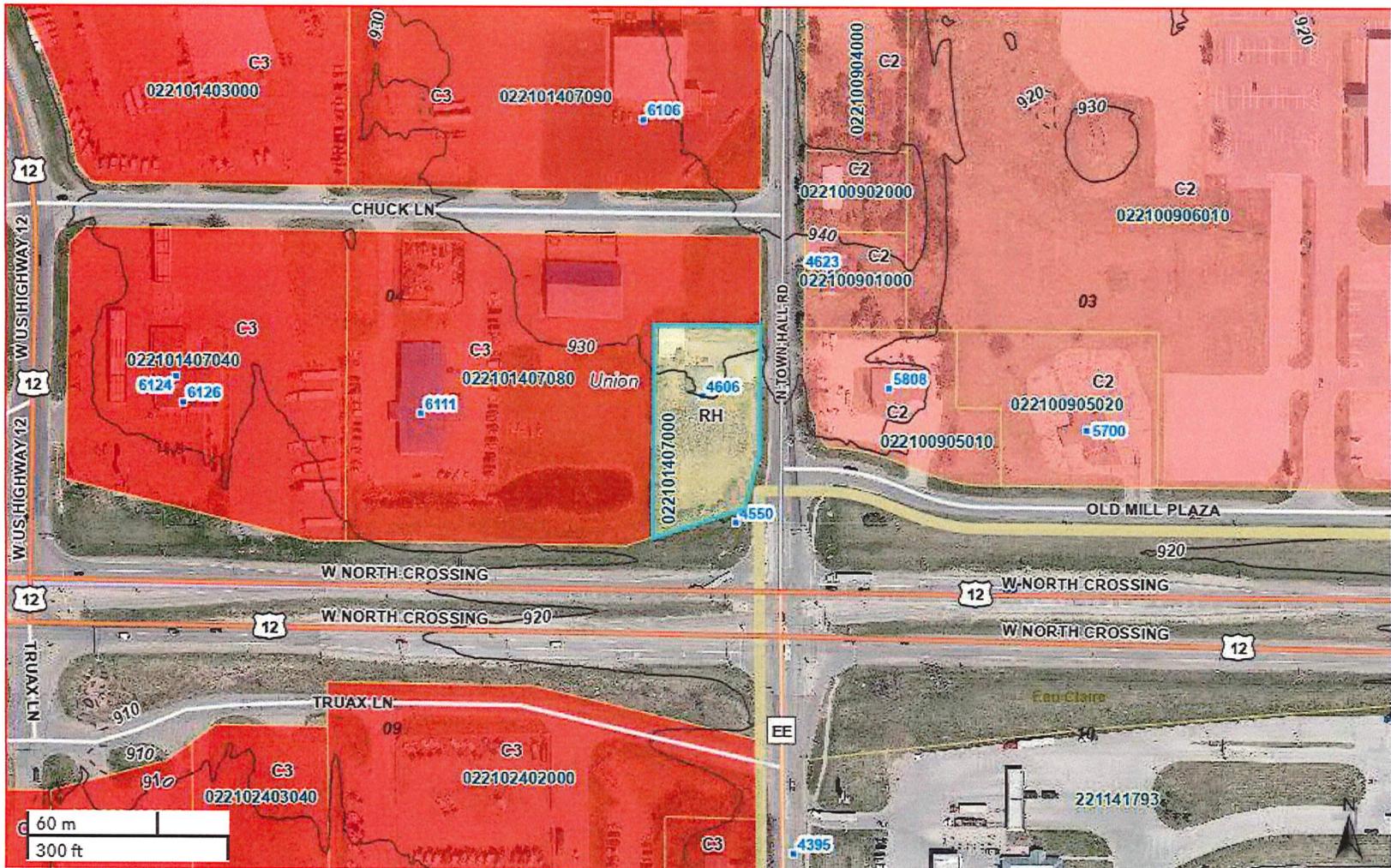
No data available for the following modules: Sales.

The Eau Claire County, WI Geographic Information Web Server provides online access to geographic and assessment record info currently maintained by Eau Claire for individual parcels of property. The maps and data are for illustration purposes and may not be suitable for site-specific decision making. Information found within should not be used for making financial or other commitments. Eau Claire County provides this information with the understanding that it is not guaranteed to be accurate.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 6/20/2024, 11:44:00 PM

Contact Us

Developed by
 Schneider
 GEOSPATIAL



- Addresses
- Address Labels
- ▭ Parcels
- ▭ Parcel Numbers
- ▭ Parks
- County Zoning
- ▭ Not Zoned By County
- ▭ A1 - Exclusive Agricultural District
- ▭ A2 - Agriculture-Residential District
- ▭ A3 - Agricultural District
- ▭ AP - Agricultural Preservation
- ▭ AR - Floating
- ▭ Agricultural-Residential District
- ▭ C1 - Neighborhood Business District
- ▭ C2 - General Business District
- ▭ C3 - Highway Business District
- ▭ F1 - Exclusive Forestry District
- ▭ F2 - Forestry District
- ▭ I1 - Nonsewered Industrial District
- ▭ I2 - Sewered Industrial District
- ▭ R1L - Single-Family Residential District, Large Lot
- ▭ R1M - Single-Family Residential District
- ▭ R2 - Two-Family Residential District
- ▭ R3 - Multiple-Family Residential District
- ▭ RH - Rural Homes District
- ▭ Towns
- ▭ Surrounding Counties
- ▭ Eau Claire
- ▭ Surrounding
- ▭ Sections
- ▭ Townships
- ▭ Rivers and Streams
- ▭ Lakes and Rivers
- Flood Hazard Zones
- ▭ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ▭ A
- ▭ AE
- X
- ▭ Interstate

Date created: 6/21/2024

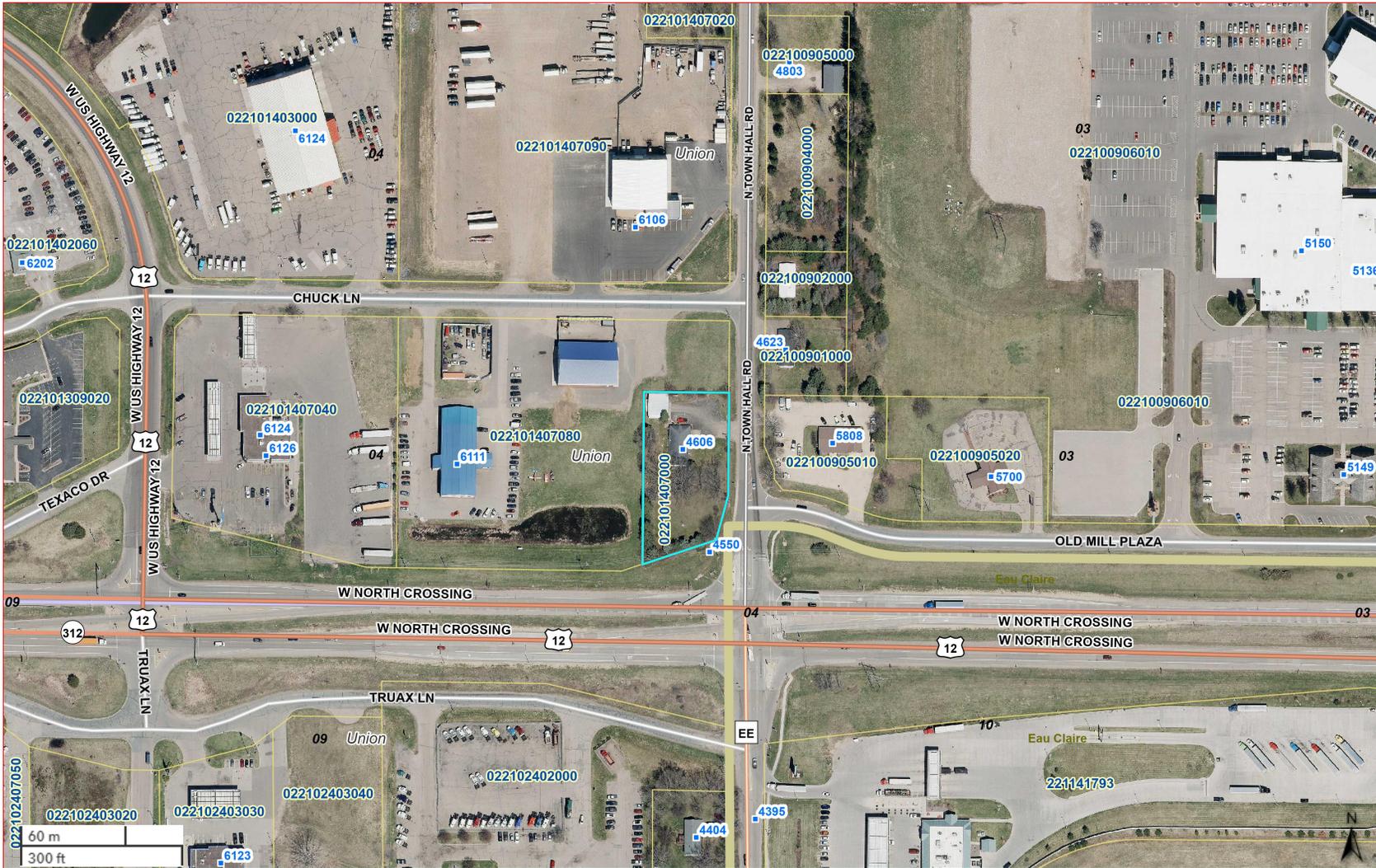
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Developed by



Horlacher Property

Created by: null



- Addresses
- Address Labels
- Parcels
- Parcel Numbers
- Parks
- Towns
- Surrounding Counties
- Eau Claire
- Surrounding
- Sections
- Rivers and Streams
- Lakes and Rivers
- Flood Hazard Zones
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X
- Interstate
- US Highway
- State Highway
- Ramp
- Major Arterial
- Minor Arterial
- Collector
- Local
- Private Drive
- Recreation
- Service
- Other

Date created: 7/11/2024
 Last Data Uploaded: 7/11/2024 12:52:01 AM
 Developed by

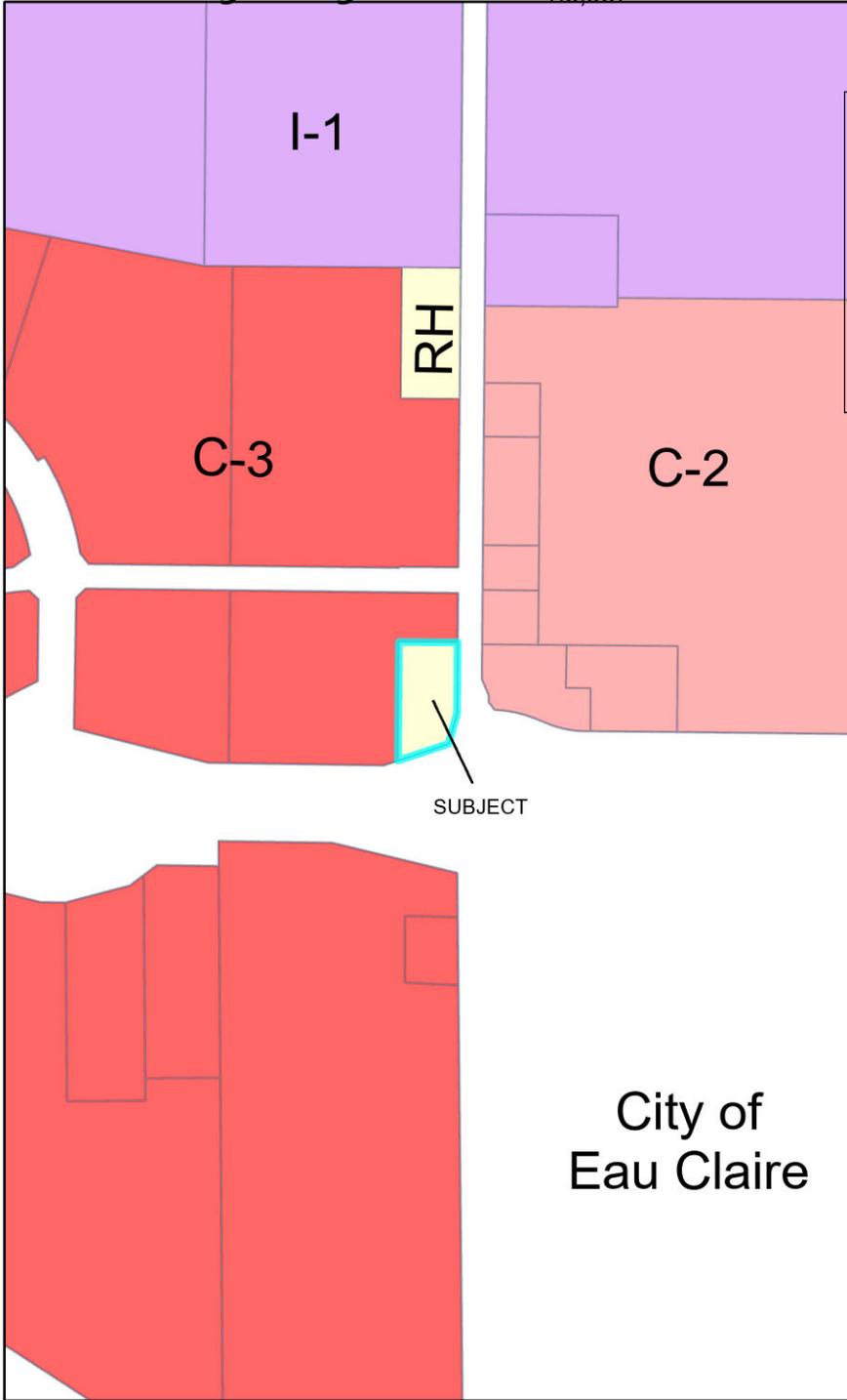




Horlacher Rezoning: RZN-0018-24

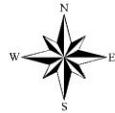
Existing Zoning

1:5,987



- Legend
- A1 - Exclusive Agricultural District
 - A2 - Agriculture-Residential District
 - A3 - Agricultural District
 - AP - Agricultural Preservation
 - AR - Floating Agricultural-Residential District
 - C1 - Neighborhood Business District
 - C2 - General Business District
 - C3 - Highway Business District
 - F1 - Exclusive Forestry District
 - F2 - Forestry District
 - I1 - Nonsewered Industrial District
 - I2 - Sewered Industrial District
 - R1L - Single-Family Residential District, Large
 - R1M - Single-Family Residential District
 - R2 - Two-Family Residential District
 - R3 - Multiple-Family Residential District
 - RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use

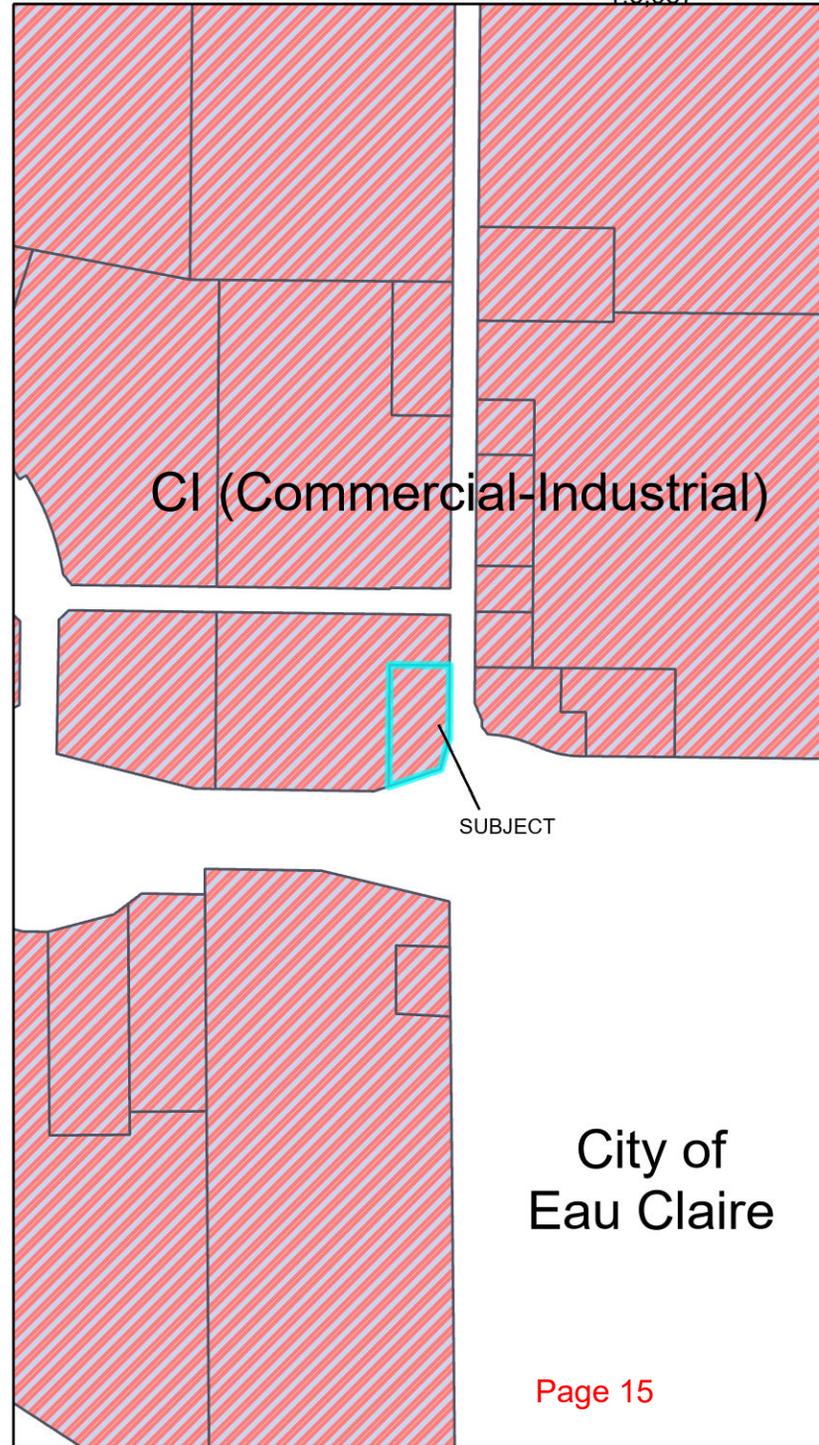


City of Eau Claire

Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_A41_WI_EauClaire_Feet
 This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.
 Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

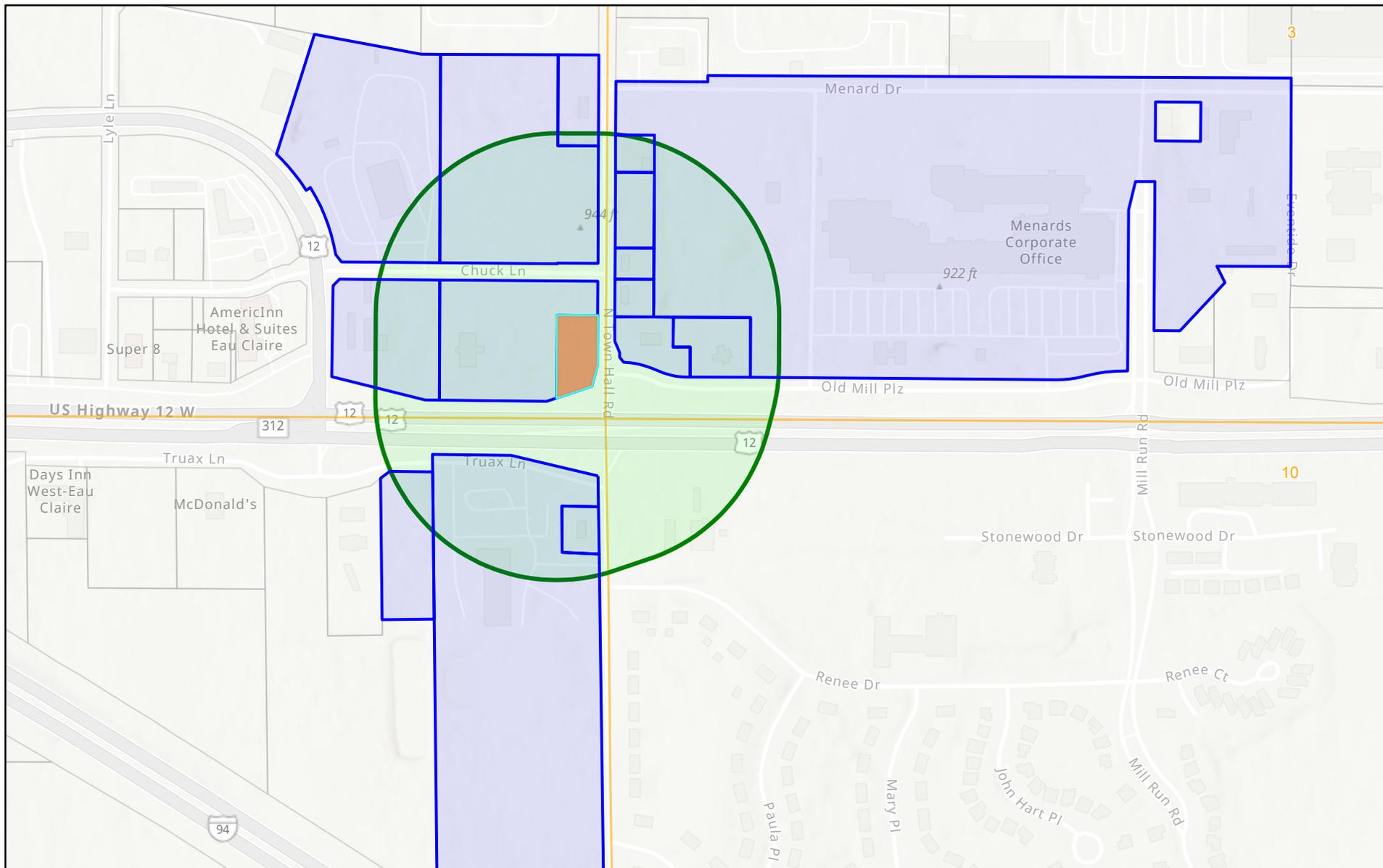
Future Land Use

1:5,987



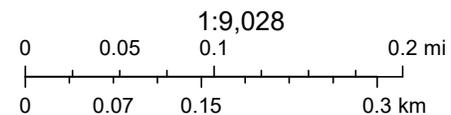
City of Eau Claire

Public Notification



6/21/2024, 10:32:41 AM

 County Boundary  Tax Parcel
 Section



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,

FirstName LastName	Address	City State Zip
BUSHENDORF RENTALS LLC	3924 SPORTSMAN DR	EAU CLAIRE WI 54703-9152
24-7 TELCOM INC	PO BOX 115	DOWNSVILLE WI 54735-0115
MENARD INC	5101 MENARD DR	EAU CLAIRE WI 54703-9604
MENARD INC	4777 MENARD DR	EAU CLAIRE WI 54703-9604
ROBERT BAXTER	4838 N TOWN HALL RD	EAU CLAIRE WI 54703-9600
INDIANHEAD OIL CO INC	PO BOX 52085 DC-17	PHOENIX AZ 85072-2085
ATC REALTY INVESTMENTS LLC	2555 S TELEGRAPH RD	BLOOMFIELD HILLS MI 48302-0912
SPRINGBROOK TOWING INC	E9601 COUNTY ROAD C	ELK MOUND WI 54739-9237
JR RENTAL PROPERTIES LLC	10077 COUNTY LINE RD	ELK MOUND WI 54739-5023
PAUL VOLLENDORF	4404 N TOWN HALL RD	EAU CLAIRE WI 54703-3802
RN EAU CLAIRE LLC	3314 SALEM POINT DR SW	ROCHESTER MN 55902-6629
RN EAU CLAIRE LLC	PO BOX 6699	ROCHESTER MN 55903-6699

FEE CHANGE

Department:		Planning and Development
Contact Person:		Rod Eslinger, Director
(Phone):		715-839-1657
Effective Date:		January 1, 2025

County Code Section List Chronologically	Description	Current Fee Amount	New or Revised Fee Amount	Reason For Change	Anticipated or Increased Annual Revenue	Governing Committee Vote and Date of Approval
---	-------------	-----------------------	---------------------------------------	-------------------	---	--

Fees were calculated using an average of 5.0%. Fees were increased to help cover the increases with operational expenses associated with administering the department programs, and fuel expenses.

4.35.090 A. 1.	Principal Use	\$250.00	\$260.00	Reflects cost to cover operating expenses	\$500.00	Vote: --; Date: 7/23/2024
4.35.090 A. 2. a.	Accessory Uses & additions	\$55.00	\$60.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.090 A. 2. b.	Accessory Uses & additions	\$0.28/sq.ft.	\$0.29/sq.ft.	Reflects cost to cover operating expenses	\$300.00	Vote: --; Date: 7/23/2024
4.35.090 A. 2. c.	Accessory Uses & additions	Maximum fee \$250.00	Maximum Fee \$260.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.090 B. 1. a.	Commercial & Ind. Principal < 1000 sq ft	\$250.00	\$260.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.090 B. 1. b.	1000+ sq ft	\$0.28/sq.ft.	\$0.29/sq.ft.	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.090 B. 1. c.	Max	\$3,500.00	\$3,600.00	Reflects cost to cover operating expenses	\$400.00	Vote: --; Date: 7/23/2024
4.35.090 B. 2. a.	Commercial Accessory < 500 sq ft	\$120.00	\$125.00	Reflects cost to cover operating expenses	\$20.00	Vote: --; Date: 7/23/2024
4.35.090 B. 2. b.	500 + sq ft	\$0.28/sq.ft.	\$0.29/sq.ft.	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.090 B. 2. c.	Max	\$3,500.00	\$3,600.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.090 C.	Change in use.	\$200.00	\$205.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.090 D. 1.	All Signs	\$100.00	\$105.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.090 D.2.	Billboards	\$245.00	\$250.00	Reflects cost to cover operating expenses	\$50.00	Vote: --; Date: 7/23/2024
4.35.090 E.	Varinances	\$550.00	\$575.00	Reflects cost to cover operating expenses	\$75.00	Vote: --; Date: 7/23/2024
4.35.090 F.	Appeals	\$550.00	\$575.00	Reflects cost to cover operating expenses	\$10.00	Vote: --; Date: 7/23/2024
4.35.090 G.	Conditional Use	\$550.00	\$575.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.090 H.	Rezone	\$550.00	\$575.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.090 I.	One time temporary use fee per site	\$60.00	\$65.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.090 J.	Rezoning and comprehensive plan surcharge for mapping	\$80.00	\$85.00	Reflects cost to cover operating expenses	\$100.00	Vote: --; Date: 7/23/2024
4.35.090 K.	Home businesses	\$200.00	\$205.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.090 L.	Text Amendments	\$550.00	\$575.00	Reflects cost to cover operating expenses	\$25.00	Vote: --; Date: 7/23/2024
4.35.090 M.	Wind energy systems	\$250.00	\$275.00	Reflects cost to cover operating expenses	\$100.00	Vote: --; Date: 7/23/2024
4.35.090 P.	Floodplain Overlay District	\$100.00	\$105.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.092 A. 1.	Principal Use	\$250.00	\$260.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.092 A. 1. a.	Zoned town fee	\$100.00	\$105.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.092 A. 2. a.	alterations and additions	\$55.00	\$60.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024

4.35.092 A. 2. b.	Greater than 200 sq. ft./alterations and additions	\$0.28/sq.ft.	\$0.29/sq.ft.	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.092 A. 2. c.	Max fee	\$250.00	\$260.00	Reflects cost to cover operating expenses	\$300.00	Vote: --; Date: 7/23/2024
4.35.092 A. 2. d.	Zoned town fee	\$55.00	\$60.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.092 A. 4.	Filling and Grading Permit	\$290.00	\$330.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.092 A. 7.	Conditional Use	\$550.00	\$575.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.092 A. 8.	Variances/Appeal	\$550.00	\$575.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.095 A. 1.	Zones A, 1, & 2	\$100.00	\$125.00	Reflects cost to cover operating expenses	\$50.00	Vote: --; Date: 7/23/2024
4.35.095 A. 2.	Zone 3	\$100.00	\$125.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.095 B. 1.	Airport Accessory	\$0.28/sq.ft.	\$0.29/sq.ft.	Reflects cost to cover operating expenses	\$100.00	Vote: --; Date: 7/23/2024
4.35.095 B. 1.	Zones A, 1, & 2 Airport Accessory - Minimum	\$55.00	\$60.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.095 B. 2.	Airport Accessory	\$0.28/sq.ft.	\$0.29/sq.ft.	Reflects cost to cover operating expenses	\$50.00	Vote: --; Date: 7/23/2024
4.35.095 B. 2.	Zone 3 Airport Accessory - Minimum	\$55.00	\$60.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.095 C.	Airport Variance/Appeals	\$550.00	\$575.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.095 D.	Airport Conditional Use	\$550.00	\$575.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.110 E.	Variance, Appeal, Committee Review	\$220.00	\$225.00	Reflects cost to cover operating expenses	\$50.00	Vote: --; Date: 7/23/2024
4.35.160 A.	Erosion Control	\$290.00	\$330.00	Reflects cost to cover operating expenses	\$400.00	Vote: --; Date: 7/23/2024
4.35.160 B.	Cleaning and grubbing	\$290.00	\$330.00	Reflects cost to cover operating expenses	\$660.00	Vote: --; Date: 7/23/2024
4.35.160 C.	Preliminary Storm Water Review	\$500.00	\$575.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
4.35.160 D.	Final Storm Water Review	\$500.00 plus \$50.00/4,000 sq. ft. of impervious surface	\$575.00 plus \$60.00/4,000sq. ft. of impervious surface	Reflects cost to cover operating expenses	\$1,500.00	Vote: --; Date: 7/23/2024
4.35.160 E. 1.	Small site erosion control	\$85.00	\$100.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.160 E. 2.	Large Site Erosion			DELETE THIS SECTION AND RENUMBER SECTION		
4.35.160 E. 3.	Imperivous area for storm water	\$300 plus \$30.00/4,000 sq. ft. of imperivous areas	\$350 plus \$60.00/4,000 sq. ft. of imperivous areas	Reflects cost to cover operating expenses	\$500.00	Vote: --; Date: 7/23/2024
4.35.160 F.	Administrative Waiver Review	\$85.00	\$100.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.160 G.	Reinspection Fee	\$150.00	\$175.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.165 B. 1. a.	New or modified permit - with a footprint of the liner less than 60,000 square feet	\$450.00	\$550.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.165 B. 1. b.	New or modified permit - with a footprint of the liner of 60,000 square feet or greater	\$750.00	\$850.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.165 B. 2.	Closure permit fee	\$220.00	\$250.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.165 C.	Technical service fee	\$50.00 per hour	\$75.00 per hour	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
4.35.170	Property Addressing Fee	\$60.00	\$70.00	Reflects cost to cover operating expenses	\$750.00	Vote: --; Date: 7/23/2024

4.35.170 A.	Parcel containing between 2 and 12 units	\$60.00 plus \$20.00 for additional units	\$70.00 plus \$25.00 for additional units	Reflects cost to cover operating expenses	\$500.00	Vote: --; Date: 7/23/2024
4.35.170 B.	Parcel containing 13 or more units	\$60.00 plus \$10.00 for additional units	\$70.00 plus \$15.00 for additional units	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
15.01.110 A. 1.	UDC 1 & 2 family dwellings	\$0.60/sq. ft. living area \$475 minimum	\$0.62/sq. ft. living area \$500 minimum	Reflects cost to cover operating expenses	\$1,000.00	Vote: --; Date: 7/23/2024
15.01.110 A. 2.	UDC Conversion to 1 & 2 family	\$0.60/sq. ft. living area \$475 minimum	\$0.62/sq. ft. living area \$500 minimum	Reflects cost to cover operating expenses	\$50.00	Vote: --; Date: 7/23/2024
15.01.110 A. 3. a.	Manufactured/modular homes Unfinished	\$255.00	\$265.00	Reflects cost to cover operating expenses	\$100.00	Vote: --; Date: 7/23/2024
15.01.110 A. 3. b.	Manufactured/modular homes finished basement	\$0.60/sq. ft. \$255 minimum	\$0.62/sq. ft. \$265 minimum	Reflects cost to cover operating expenses	\$100.00	Vote: --; Date: 7/23/2024
15.01.110 A. 4.	House moved to the site	\$525.00	\$550.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
15.01.110 A. 5.	Additions alterations manufactured homes	\$0.60/sq.ft. \$150 minimum	\$0.62/sq.ft. \$185 minimum	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
15.01.110 A. 7.	Attached garages additions	\$175.00	\$185.00	Reflects cost to cover operating expenses	\$50.00	Vote: --; Date: 7/23/2024
15.01.110 A. 10. a.	UDC EC - New 1 or 2 Family Dwelling	\$290.00	\$330.00	Reflects cost to cover operating expenses	\$400.00	Vote: --; Date: 7/23/2024
15.01.110 A. 10. b.	UDC EC - Additions	\$75.00	\$100.00	Reflects cost to cover operating expenses		Vote: --; Date: 7/23/2024
15.01.110 A. 10. c.	UDC EC - Manufacture Home Slab/Piers		\$50.00	NEW FEE ADD SECTION TO ORDINANCE		Vote: --; Date: 7/23/2024
15.01.110 A. 12. a.	UDC Permit Renewal for 1 and 2 family dwelling	\$255.00	\$265.00	Reflects cost to cover operating expenses	\$25.00	Vote: --; Date: 7/23/2024
15.01.110 A. 12. b.	Permit renewal additions	\$155.00	\$160.00	Reflects cost to cover operating expenses	\$25.00	Vote: --; Date: 7/23/2024
15.01.110 A. 13 a.	Permission to start construction	\$155.00	\$175.00	RENUMBER SECTION		Vote: --; Date: 7/23/2024
15.01.110 A. 13 b.	Failure to request Inspection		\$150.00	NEW FEE ADD SECTION TO ORDINANCE		Vote: --; Date: 7/23/2024
15.01.110 A. 14. a.	Residential-1-5 circuits	\$130.00	\$135.00	Reflects cost to cover operating expenses	\$300.00	Vote: --; Date: 7/23/2024
15.01.110 A. 14. b.	Residential more than 5 circuits	\$180.00	\$185.00	Reflects cost to cover operating expenses	\$200.00	Vote: --; Date: 7/23/2024
15.01.110 A. 14. c.	Residential-replace service panel only	\$130.00	\$135.00	Reflects cost to cover operating expenses	\$20.00	Vote: --; Date: 7/23/2024
15.01.110 A. 14. d.	Residential-replace service panel & add circuits	\$180.00	\$185.00	Reflects cost to cover operating expenses	\$100.00	Vote: --; Date: 7/23/2024
15.01.110 B. 1.	New Commerical- minimum fee	\$0.14/sq.ft. Minimum fee \$155.00 Maximum fee \$3,600.00	\$0.15/sq.ft. Minimum fee \$180.00 Maximum fee \$3,750.00	Reflects cost to cover operating expenses	\$300.00	Vote: --; Date: 7/23/2024
15.01.110 B. 2.	Additional commercial- minimum fee	\$0.14/sq.ft. Minimum fee \$155.00 Maximum fee \$3,600.00	\$0.15/sq.ft. Minimum fee \$180.00 Maximum fee \$3,750.00	Reflects cost to cover operating expenses	\$500.00	Vote: --; Date: 7/23/2024
15.01.110 B. 3. a.	1 - 5 Circuits (Minimum Fee)		\$180.00	RENAME SECTION		Vote: --; Date: 7/23/2024
15.01.110 B. 3. b.	6-10 Circuits		\$230.00	NEW FEE - RENAME SECTION	\$460.00	Vote: --; Date: 7/23/2024



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse - Room 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Building Inspection
839-2944
Emergency Management
839-4736
Geographical Information Systems
839-4730
Land Conservation
839-6226
Land Records
839-4742
Land Use Controls
839-4743
Planning
839-5055
Recycling & Sustainability
839-2756

Memorandum

To: Committee on Planning and Development

From: Ben Bublitz, Land Use Manager

Date: July 17, 2024

RE: Discussion of determination of uses not listed (finished side of fence direction)

The department has received a request for the Committee on Planning and Development to authorize a use that isn't listed within the ordinance. The request is to direct the finished side of a fence toward their property accommodating a person with a disability. The request is specific to the property located at 1716 Moss Road in the Town of Washington. The property is zoned RH Rural Homes.

The relevant code sections are 18.73.030 (fence standards) and 18.75.060 (reasonable accommodation standards). 18.73.030 allows privacy fences without a permit when all the requirements are met, and section 18.75.060 permits staff to administratively relax dimensional standards (setbacks) to provide reasonable access as required by the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the Wisconsin Fair Housing Act. The request is before the committee, since the fence in question has similarities to the mentioned code sections but isn't an exact fit in either case. For your convenience the code sections are copied below:

18.73.030 General screening standards.

- A. Fences & Walls.
1. Fences and walls may be located within required street, side, and rear yards.
 2. All fences and walls shall:
 - a. be constructed of wire, chain links, wood, stone, masonry, stucco, or any other standard building material approved by the Land Use Manager;
 - b. have the finished side facing the adjoining property; and
 - c. be maintained in a condition of good repair.
 3. Fences in the Floodplain Overlay are subject to the requirements of Section XIV Floodplain Overlay (F-O); fences in the Shoreland Overlay are subject to the requirements of Section XVII Shoreland Overlay (S-O).
 4. Fences or walls located on the property line of a double frontage lot that abuts a divided highway consisting of four or more lanes with no direct access to the highway are allowed along the highway right-of-way provided they are no more than 6 feet in height.

18.75.060 Reasonable accommodation for disabled persons. Ramps, walkways, or decks to provide a disabled person with reasonable access to their property as required by the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the Wisconsin Fair Housing Act are allowed by land use permit, subject to the following standards:

- A. Only the minimum relaxation of dimensional or other standards needed to provide reasonable access may be approved.
- B. No use, structure, or other relaxation of standards may be approved that would violate or undermine the stated purposes of this title.
- C. The land use permit will expire and the structure removed once the property is no longer primarily used by a disabled person.
 - 1. Subsequent landowners no longer needing disabled access shall not replace or expand the facilities.
 - 2. Routine maintenance is allowed.
- D. An affidavit describing the approved land use permit shall be executed and recorded with the County Register of Deeds by the property owner within 14 days after approval of the permit.
 - 1. The affidavit shall state that the ramp, walkway, or deck must be removed as required above, and shall alert subsequent purchasers of the land of the requirements of the land use permit.
 - 2. The permit is not effective until this affidavit is recorded. (Ord. 167-3, Sec. 1, 2023)

After visual confirmation of an ordinance violation on May 2, 2024, staff has had extensive dialogue with the applicant, Department of Human Services, Eau Claire County Human Resources, Eau Claire County Corporation Counsel, and American Fence Company. Through these conversations staff determined that either corrective action is needed by the applicant, or the applicant could make their case to the Committee on Planning and Development to allow a similar use. Section 18.33.030 permits the Land Use Manager to refer a request to the Committee on Planning and Development for review when the specific request has similar impacts as other permitted uses while remaining consistent with the intent of the code.

The application and supporting documentation describe the need to limit the ability for their child with a disability to elope from the property. The reason the finished side of the fence faces the owner's property is to eliminate the ability to scale it, so their child may not climb over the fence exiting the property. The applicant indicates both sides of the fence may not be finished, since the fence isn't engineered to support the additional weight. The fence installation company did provide additional background on their services, but no mention of fence engineering was provided to demonstrate both sides cannot be finished. The application also points to section 18.75.060 to provide reasonable access as required by the federal and state law. This code section is specific to providing reasonable access (ramps, walkways, or decks) and relaxing dimensional standards, but isn't expanded to other uses within the zoning code.

On the following pages you will find photos from the initial inspection (1&2) and of the finished fence (3&4) for your reference.

1



2



3



4





Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Office Use Only

Application Accepted:	07/12/2024
Accepted By:	Rod Eslinger
Receipt Number:	n/a
Scheduled Hearing Date:	07.23.2024

COMMITTEE REVIEW APPLICATION

Property Owner Name: Micaela & Andrew Gaede	Phone# 7152145358 or 7153085498
Mailing Address: 1615 Moss Rd Fall Creek WI 54742	
Email Address: nelsonm7092@gmail.com or andrewgaede@gmail.com	
Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

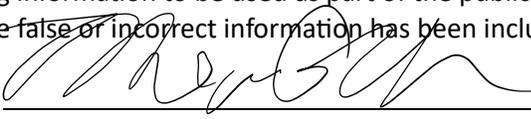
Site Address: 1615 Moss Rd Fall Creek WI 54742	
Property Description: ¼ _____ ¼ Sec. <u>22</u> , T 27N, R 8W, Town of Washington	
Zoning District:	Code Section(s):
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable	
Computer #(s): or	
PIN #(s):	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- A detailed written statement that specifically identifies what is being requested for review.
- Written narrative that justifies the need for the request. When applicable, it is the applicant’s responsibility to prove that an “unnecessary hardship” exists.
- The applicant may be required to flag/stake the property/project corners and label them accordingly (e.g. NE Lot corner, NE building corner).
- A scaled site plan of the site and surrounding area for a distance of 100 feet, including buildings and other structures. Also, include the proposed addition/structure/location of septic system, well, driveway, property lines, navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property. All maps and engineering data to be no larger than 11” x 17”.
- Provide a **\$220.00** application fee (non-refundable). Send application to I anduse@eauclairecounty.gov or to the address above. ** Review by the committee is not a public hearing**

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature 

Date 7-11-24

At the meeting, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

To whom it may concern:

We are writing to seek a variance for a fence at our single-family home at 1615 Moss Rd, Fall Creek WI, Town of Washington.

We are not asking for a complete special exemption, as we have used approved materials for our fence¹ which has finished sides facing all adjoining properties; and will be maintained in good repair to align with goals of safety for our disabled children. Based on current ordinance regulations², we are asking for an approval for a variance, as our fence is necessary for the safety of our children with disabilities, which is outside of the specified privacy uses. Of equal importance, we are proposing the use is similar in nature to 18.75.060³. A fence complying with ADA recognized disabilities is not specifically identified in the reasonable accommodations for people with disabilities section as it relates to the Federal Americans with Disabilities Act Title II part 35.130 (b) (7) (i) which states a public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

We are asking that a variance for our fence be allowed, with the non-scalable surface on the interior, for disability related needs. This would accommodate our children, Buckley and Timberley, who have Autism with the behavior of elopement, to be able to have equal access to all areas of our home and property. Both children elope very quickly, and due to the nature of our children's disability, a non-scalable internal fence surface is necessary to prevent elopement. Any type of foothold that a scalable surface has, such as cross members and support beams, provides a route for elopement. Funding for the current standing fence was provided to us through the Children's Long Term Support Program at both the county and state level. It was installed by Trevor Mavis and his team at American Fence Company, as they have had the opportunity to install this type of fence throughout Western Wisconsin through the CLTS programs. Their expertise makes them familiar with the parameters of the funding and necessary safety logistics. This fence was funded for my son, Buckley, in relation to his goals of staying safe within the home and property.

¹Section 18.73.030 (A) (2); "All fences and walls shall: a. be constructed of wire, chain links, wood, stone, masonry, stucco, or any other standard building material approved by the Land Use Manager"

² Section 18.73.010 (B); "these regulations allow for Privacy, while maintaining access to light and air".

³ Section 18.75.060 "Reasonable accommodation for disabled persons. Ramps, walkways, or decks to provide a disabled person with reasonable access to their property as required by the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the Wisconsin Fair Housing Act are allowed by land use permit, subject to the following standards:

A. Only the minimum relaxation of dimensional or other standards needed to provide reasonable access may be approved.

B. No use, structure, or other relaxation of standards may be approved that would violate or undermine the stated purposes of this title."

An anonymous complaint was filed sometime prior to May 2nd, 2024, at which time approximately 40% of the fence was up (steel posts, cross members up, a few pickets etc). Ben Bublitz advised that we did not need to stop working on the fence and that we should complete construction. The fence now stands finished with no steel posts visible on any side as they have been covered by cedar wood. The fence currently sits approximately 2 feet from the property line of the houses on the left and right of ours (Smeltzer and Cetnar families respectively) and approximately 10+ feet from the rear property line, which adjoins the Sutherland's and Strassburg's. The road side of the fence goes no closer to the road than the front of our primary structure. Ben advised upon completion he would issue a violation letter and notify us of the need to remedy, and steps forward. This letter was received via email correspondence June 4th and via post June 5th, 2024.

In his email dated June 4th, 2024 Ben stated "The fence could potentially be reviewed and permitted under section 18.33.030.B of the county zoning code. Under this section a property owner may apply for the Committee on Planning and Development to review uses not specifically listed in the ordinance. The committee will determine if the proposed use is similar to other uses in the code, but not specifically identified."

Ben Bublitz spoke with Trevor Mavis, and reviewed images of other projects that were completed with the same materials in the same fashion. Ben made the determination that, in his opinion, the fence did not meet the "finished" look parameters in regards to an aesthetically pleasing standpoint. However, as the ordinance currently stands, there are no defined parameters that constitutes what a finished look is. In the violation letter that Ben sent on June 4th 2024 it was stated that in order to be in compliance with Eau Claire County's fencing ordinance, as it pertains to privacy fences, that compliance would need to be met by the following: "Modify the existing fence so the finished side is facing the adjoining properties, or modify the fence in a manner so both sides are considered 'finished'." In order to make the fence comply with these suggestions:

1. With the first option, the fence would need to be torn down. This would cause damage to the materials, posts would need to be broken out of the cement or pulled out and turned 180 degrees to be re-driven and cemented. If the posts do not have the exact spacing as before, crossmembers would not fit and additional stringers would need to be purchased to replace these. This also would carry the bill for 4 days of labor to build the fence as this is how long it took initially to install, along with the cost to tear down.
2. The second option is to put pickets on the adjacent properties side of the fence, but as advised by Trevor Mavis with American Fence Co., this is inadvisable as the fence is not engineered to bear the excess weight. Furthermore, due to historical snowfall averages, there is a potential for the snow to build up between the pickets. This may force the fence

apart, putting it in a state of disrepair each year (pickets falling off and cracking causing a bill to replace and remedy).

Both of the above options come at a substantial cost, putting an unnecessary hardship on us as a family. We did not have the funds for the initial cost of the fence, hence the request to CLTS for state funding.

Thank you for taking the time to consider the safety of our children, as there is a heavily wooded tree farm, the rapids between Lake Altoona and Big Falls Recreation Area, and a railroad within close proximity to our home. Please see the enclosed email correspondences from Tawny Severson, M.S., BCBA, LBA from Wisconsin Early Autism Project (WEAP), as she provides insight into historical elopement data in facility with regards to Applied Behavioral Analysis (ABA) therapy, Danielle Stanley, CLTS Support and Service Coordinator, with Eau Claire County Department of Human Services as well as Trevor Mavis from American Fence Company.

With best regards,

Micaela and Andrew Gaede



American Fence Company
2464 118th Street
Chippewa Falls, WI 54729
1-800-373-0606 (toll free)
715-720-8610 (fax)

July 9, 2024

To Whom it may Concern:

My name is Trevor Mavis. I am the crew expeditor/salesman for American Fence Company. We recently installed a 6' tall Cedar safety fence for the Gaede family authorized by the Wisconsin Department of Human Services- High Cost team. Danielle Stanley, Children's Long Term Support program support and service coordinator for Eau Claire County facilitated this process.

As we were installing the fence, we had to stop the installation due to a complaint being called in by someone in the neighborhood. The complaint involved the side of the fence we were putting the vertical pickets on. On a CLTS program job, if the child has demonstrated eloping behavior, we put the pickets to the inside of the yard to make the fence a "No Climb" fence. By doing this it exposes the 2x4 stringers that the pickets attach to. The post type we use is called a post master. They are steel posts that are driven into the ground. When the fence is completed, you don't see the post as we put a picket over the post to cover it. By doing this we consider the fence to be finished on both sides then. On CLTS program jobs to where we install a cedar wood fence this is the way we do it cause of the rules we have to follow for the CLTS program. Meaning they require a "No Climb" fence for the safety of the child or children that live at the property.

We have installed cedar wood fences this way for years and have never had an issue with this until now. This fence is to protect and to give the child or children the benefit of being able to play and run in their backyard and to be safe while doing it. Please understand and take into consideration this family's needs with the way this fence has to be installed.

If you have any questions, please feel free to reach out to me.

Thank You,

Trevor Mavis

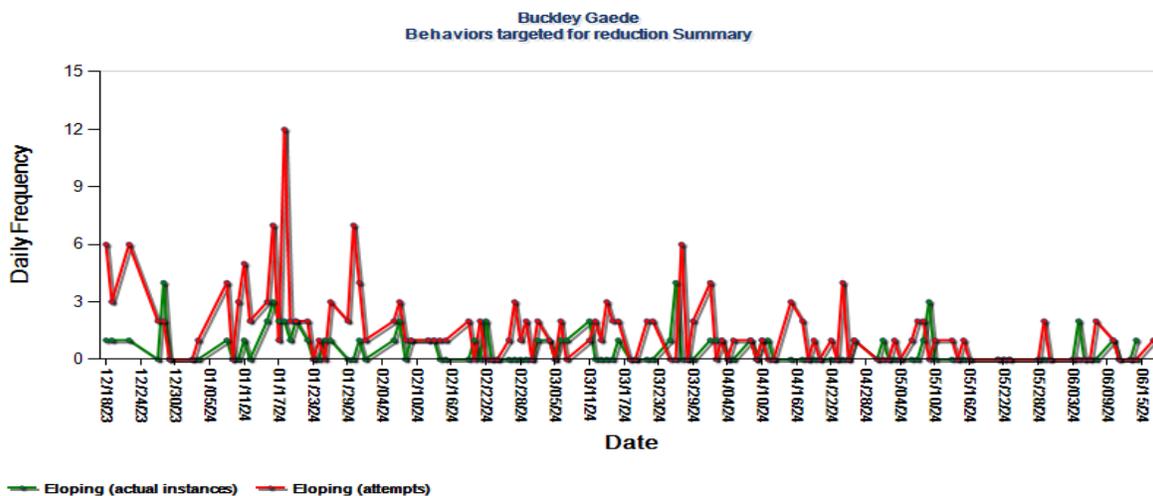
715-720-8600

June 17, 2024

To whom it may concern:

I am writing at the request of Andrew and Micaela Gaede to support the request of an outdoor fence at their permanent residence for their son, Buckley. I have had the pleasure of working with Buckley during his last two years of ABA treatment through WEAP.

I believe that Buckley could greatly benefit from an outdoor fence in order to reduce the opportunities for elopement, a behavior that we have been targeting for reduction since Buckley began receiving services in June of 2022. Buckley has made consistent progress reducing actual and attempted instances of eloping while in the classroom, as shown in the data below, but this has not been generalized to outside or other environments due to reduced opportunities for the treatment team to target this in other environments. This behavior continues to pose a safety risk to Buckley in other environments, and a fence would ensure his safety while playing outside.



Please contact me with any questions at 715-383-4016 or tawny.severson@wiautism.com.

Sincerely,

Tawny Severson, M.S., BCBA, LBA

Behavioral Treatment Licensed Supervisor
Wisconsin Early Autism Project – Eau Claire Region

Good morning Micaela,

Here is the write up that was used in the High Cost Request that was approved by WI DHS for the addendum hearing:

It was determined that there was a need for a fence because Buckley has a history of eloping at home and when in the community. At daycare, Buckley has a 1:1 WEAP worker that works with him on a daily basis. Buckley is not allowed to go on outings without someone there to support. The installation of the fence is necessary to keep Buckley safe and prevent him from eloping. The provider is installing the fence so that there are no horizontal posts on the inside for Buckley to climb out and over. The family home borders a forested area and they are concerned that Buckley will elope from their home and get lost or hurt in the woods. The family already personally installed cameras, monitors, and locks in the home to help prevent elopement. The fence is needed to prevent/deter Buckley from eloping into the woods before his parents or caregiver can stop him.

Please let me know if you need anything else.

With care,

Danielle Stanley (She/Her)

CLTS Support and Service Coordinator

Department of Human Services

721 Oxford Ave, Ste. 1001 | Eau Claire, WI 54703

Direct: 715-829-9148 Fax: 715-831-5784

Email: danielle.stanley@eauclairecounty.gov

Planning and Development

Summary of Revenues and Expenditures by Program

Revenues	2023	2024	2024	2025	%
	Actual	Adjusted Budget	Estimate	Request	Change
Planning & Development	\$1,086,183	\$1,046,417	\$1,051,417	\$1,126,345	8%
Emergency Management	\$282,768	\$261,768	\$260,166	\$279,828	7%
Land Conservation	\$524,797	\$526,011	\$531,011	\$552,212	5%
Land Records	\$308,016	\$147,396	\$113,225	\$174,629	18%
Watershed	\$129,047	\$154,750	\$159,155	\$171,329	11%
Recycling	\$1,505,636	\$1,540,135	\$1,558,798	\$1,593,770	3%
Total Revenues:	\$3,836,447	\$3,676,477	\$3,673,772	\$3,898,113	6%

Expenditures	2023	2024	2024	2025	%
	Actual	Adjusted Budget	Estimate	Request	Change
Planning & Development	\$1,038,195	\$1,040,865	\$1,038,476	\$1,126,345	8%
Emergency Management	\$263,791	\$253,768	\$253,618	\$279,828	10%
Land Conservation	\$463,415	\$539,563	\$518,773	\$552,212	2%
Land Records	\$263,434	\$147,396	\$123,773	\$174,629	18%
Watershed	\$91,854	\$154,750	\$163,362	\$171,329	11%
Recycling	\$1,532,556	\$1,540,135	\$1,569,096	\$1,593,770	3%
Total Expenditures:	\$3,653,246	\$3,676,477	\$3,667,098	\$3,898,113	6%

Net	2023	2024	2024	2025	%
	Actual	Adjusted Budget	Estimate	Request	Change
Planning & Development	\$47,988	\$5,552	\$12,941	-	-100%
Emergency Management	\$18,976	\$8,000	\$6,548	-	-100%
Land Conservation	\$61,381	(\$13,552)	\$12,238	-	-100%
Land Records	\$44,582	-	(\$10,548)	-	

Planning and Development

Summary of Revenues and Expenditures by Program

Watershed	\$37,193	-	(\$4,207)	-	
Recycling	(\$26,920)	-	(\$10,298)	-	
Total Net:	\$183,201	\$0	\$6,674	\$0	

Planning and Development

Overview of Revenues and Expenditures

Revenues	2023	2024	2024	2025	%
	Actual	Adjusted Budget	Estimate	Request	Change
01-County Funding	\$1,021,148	\$1,173,829	\$1,173,829	\$1,278,021	9%
03-Other Taxes	\$86,864	\$100,000	\$100,000	\$100,000	0%
04-Intergovernment Grants and Aid	\$1,046,750	\$934,810	\$942,883	\$945,673	1%
05-Intergovernmental Charges for Services	\$279	-	-	-	
06-Public Charges for Services	\$1,070,772	\$1,047,500	\$1,052,500	\$1,057,750	1%
07-Licenses & Permits	\$421,144	\$353,992	\$358,992	\$360,440	2%
09-Other Revenue	\$56,732	\$32,000	\$45,568	\$32,000	0%
11-Fund Balance Applied	-	\$34,346	-	\$124,229	262%
12-Fund Transfers	\$132,758	-	-	-	
Total Revenues:	\$3,836,447	\$3,676,477	\$3,673,772	\$3,898,113	6%

Expenditures	2023	2024	2024	2025	%
	Actual	Adjusted Budget	Estimate	Request	Change
01-Regular Wages	\$1,286,445	\$1,346,120	\$1,353,379	\$1,489,674	11%
02-OT Wages	\$1,130	\$500	\$1,000	\$1,300	160%
03-Payroll Benefits	\$449,647	\$521,600	\$523,378	\$551,438	6%
04-Contracted Services	\$1,567,497	\$1,534,795	\$1,535,017	\$1,559,817	2%
05-Supplies & Expenses	\$146,552	\$182,732	\$180,222	\$229,480	26%
07-Fixed Charges	\$11,417	\$15,325	\$15,325	\$14,323	-7%
09-Equipment	\$77,798	\$69,405	\$46,777	\$52,081	-25%
10-Grants, Contributions, Other	-	\$6,000	\$12,000	-	-100%

11-Other	\$112,758	-	-	-	
Total Expenditures:	\$3,653,246	\$3,676,477	\$3,667,098	\$3,898,113	6%

Net Surplus/(Deficit)- Planning and Development	\$183,201	\$0	\$6,674	\$0	
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**Planning and Development
June 2024**

The following bills were sent to the Finance Department for payment:

Planning

Vendor	Amount	Description	Line Item#
APG	198.13	PD Public Hearing 5/14,5/28 & 6/11	100-15-56920-321-000
Voyager	58.57	May Fuel	100-15-56920-330-000
Amazon (Pcard)	39.99	Copy Paper	705-08-51451-310-381
Amazon (Pcard)	5.38	Office Supplies	100-15-56920-310-000
Rod Eslinger	20.10	Mileage Reimbursement	100-15-56920-310-000

Resurvey

Vendor	Amount	Description	Line Item#
Lange Enterprises	1,798.00	Plastic T Posts	100-15-51740-360-200
Kluck Steel (Pcard)	1,260.00	Survey Supplies	100-15-51740-360-200
Amazon (Pcard)	50.70	Survey Supplies	100-15-51740-360-200

Emergency Management

Vendor	Amount	Description	Line Item#

Recycling

Vendor	Amount	Description	Line Item#
First Choice	3,550.93	May Batteries & Electronics	211-15-53636-309-745
GFL Environmental	45,528.06	May Curbside	211-15-53635-201-000
GFL Environmental	9,524.73	May Dropsite	211-15-53635-208-000
Gracious Living Kentucky, Inc	10,381.14	Home Compost Bins	211-15-53635-390-749
Trash on Trucks	4,725.48	May Curbside	211-15-53635-201-000
Village of Fairchild	122.40	May Recycling	211-15-53635-208-000
Waste Management	41,836.08	May Curbside	211-15-53635-201-000
WRR Environmental Services Co, Inc	19,244.82	May Clean Sweep	211-15-53636-200-745
Earthbound Environmental Services	13,244.70	April/May Curbside	211-15-53635-201-000
GFL Environmental	45,334.08	June Curbside	211-15-53636-309-745
GFL Environmental	7,851.28	June Dropsite	211-15-53635-208-000
Town of Wilson	120.00	May Recycling Attendant	211-15-53635-208-000
Facebook (Pcard)	73.18	Advertisements	211-15-53635-368-000
Regan Watts	140.03	Mileage Reimbursement	211-15-53635-330-00

Land Conservation

Vendor	Amount	Description	Line Item#
Derek Frank	2,112.50	MDV Program MDV-24-01	207-15-56927-390-710
Larry Wathke	2,337.50	MDV Program MDV-24-02	207-15-56927-390-710
Chad Berge	100.00	Buffalo Co. Tour Reimbursement	100-15-56920-340-000
Gordon Waller	1,150.00	MDV Program MDV-24-03	207-15-56927-390-710
RTK Mobile (Pcard)	30.00	GPS Data	100-15-56920-226-000
Voyager	363.57	May Fuel	100-15-56920-330-000

Division	Totals
Planning	322.17
Resurvey	3,108.70
Emergency Management	-
Recycling	201,676.91
Land Conservation	6,093.57
Total	205,107.78